

**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

Ent 147038 Bk 209 Pg 521  
Date: 08-MAY-2008 12:44PM  
Fee: None  
Filed By: CB  
COLLEEN BRINKERHOFF, Recorder  
WAYNE COUNTY  
For: GOVERNOR OF STATE OF UTAH

**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**

**Know ye,** This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of “the right of way for the construction of highways over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Wayne County as it pertains to the highway located in Wayne County known as PETERSON ROAD; County Road Number: 46A; State Geographic Information Database (SGID) Road Identification Number: RD280324. Total road length is 0.4 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as “Attachment 1,” a printed copy of representative photos of the road is appended hereto as “Attachment 2,” a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as “Attachment 3,” and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as “Attachment 4.” The Appendices listed in “Attachment 4” that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as “Attachment 5.”

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 23<sup>rd</sup> day of April, 2008.

By the Governor's Designee

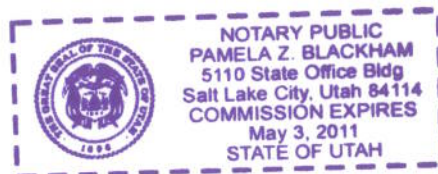
  
\_\_\_\_\_  
John Harja

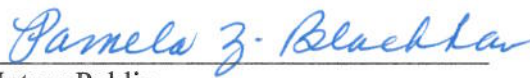
### CERTIFICATION

State of Utah                     )  
  : ss  
County of Salt Lake            )

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

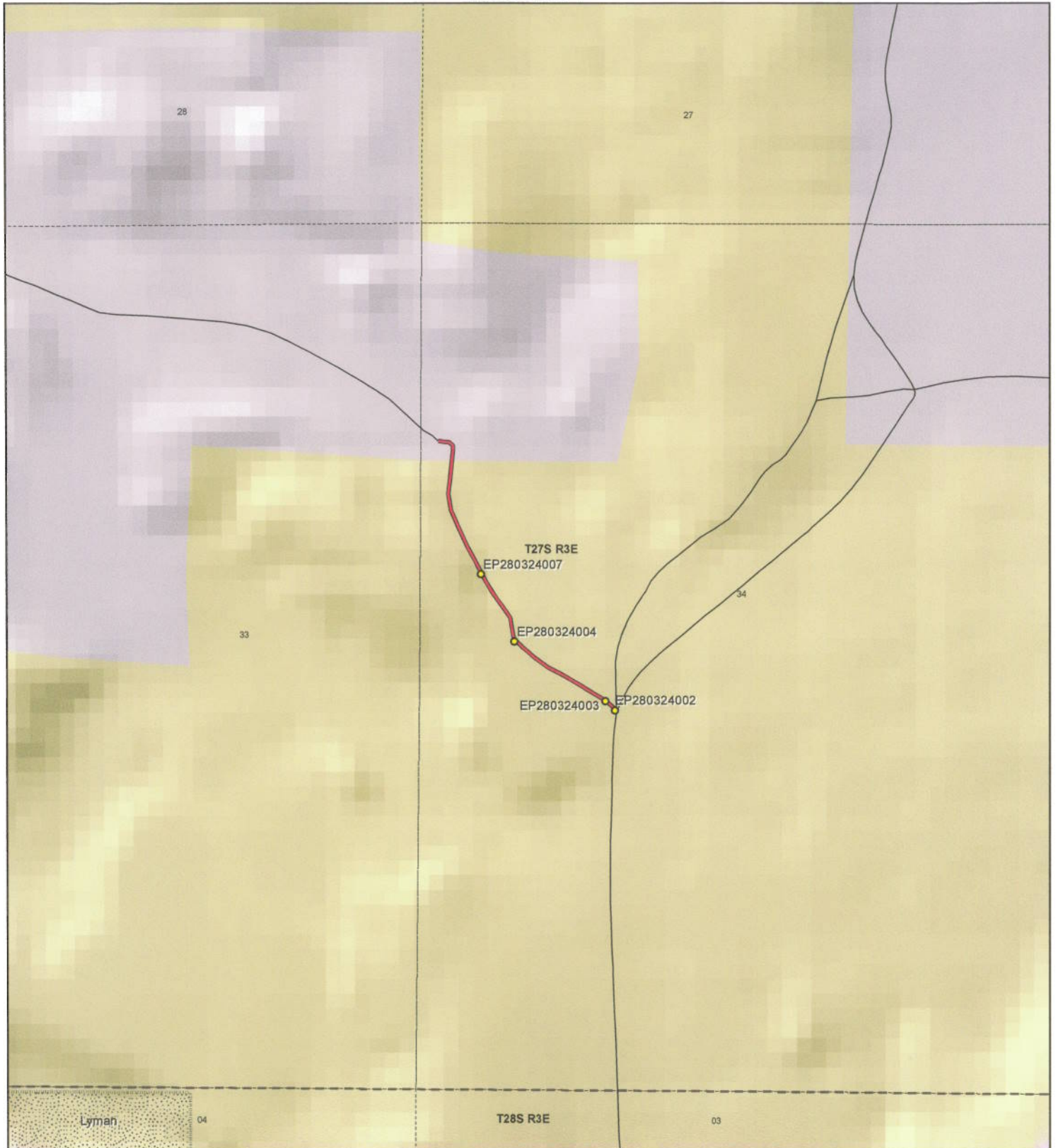
Dated this 23<sup>rd</sup> day of April, 2008.



  
\_\_\_\_\_  
Notary Public



# Attachment 1



<p>1:9,506 1 inch equals 0.2 miles</p>	<p align="center"><b>PETERSON ROAD - Wayne County</b> <b>SGID RD_ID RD280324</b></p> <table border="0"> <tr> <td data-bbox="467 1810 711 1837"><b>Land Ownership Categories</b></td> <td data-bbox="714 1837 954 1984"> <ul style="list-style-type: none"> <li>BLM</li> <li>Private</li> <li>SITLA, State Trust Land</li> <li>USFS, National Forest</li> <li>State Parks and Recreation</li> <li>Tribal, Indian Reservation</li> <li>NPS, National Park</li> <li>Wilderness</li> <li>UDWR Wildlife Reserve</li> <li>DOD, Military</li> <li>State Sovereign Land</li> <li>National Recreation Area</li> <li>USFWS, Natl. Wildlife Refuge</li> </ul> </td> <td data-bbox="958 1810 1161 1984"> <b>Transportation Network</b> <ul style="list-style-type: none"> <li>PETERSON ROAD</li> <li>Title V: Issued Or Under Consideration By BLM Or County</li> <li>Other Roads</li> <li>Photo Event Point</li> <li>Section = 1 Mile</li> </ul> </td> </tr> </table>	<b>Land Ownership Categories</b>	<ul style="list-style-type: none"> <li>BLM</li> <li>Private</li> <li>SITLA, State Trust Land</li> <li>USFS, National Forest</li> <li>State Parks and Recreation</li> <li>Tribal, Indian Reservation</li> <li>NPS, National Park</li> <li>Wilderness</li> <li>UDWR Wildlife Reserve</li> <li>DOD, Military</li> <li>State Sovereign Land</li> <li>National Recreation Area</li> <li>USFWS, Natl. Wildlife Refuge</li> </ul>	<b>Transportation Network</b> <ul style="list-style-type: none"> <li>PETERSON ROAD</li> <li>Title V: Issued Or Under Consideration By BLM Or County</li> <li>Other Roads</li> <li>Photo Event Point</li> <li>Section = 1 Mile</li> </ul>	<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Mar 17, 2008</p>
<b>Land Ownership Categories</b>	<ul style="list-style-type: none"> <li>BLM</li> <li>Private</li> <li>SITLA, State Trust Land</li> <li>USFS, National Forest</li> <li>State Parks and Recreation</li> <li>Tribal, Indian Reservation</li> <li>NPS, National Park</li> <li>Wilderness</li> <li>UDWR Wildlife Reserve</li> <li>DOD, Military</li> <li>State Sovereign Land</li> <li>National Recreation Area</li> <li>USFWS, Natl. Wildlife Refuge</li> </ul>	<b>Transportation Network</b> <ul style="list-style-type: none"> <li>PETERSON ROAD</li> <li>Title V: Issued Or Under Consideration By BLM Or County</li> <li>Other Roads</li> <li>Photo Event Point</li> <li>Section = 1 Mile</li> </ul>			

Attachment 2



EP280324002



EP280324003



EP280324004



EP280324007

EP000000000

EP000000000

**PETERSON ROAD - Wayne County**  
**SGID RD\_ID RD280324**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
March 19, 2008





### **Attachment 3**

#### **Beginning & Ending Points and Township, Range, and Section References For:**

**Popular Name: PETERSON ROAD**

**County: Wayne**

**County Road Number: 46A**

**State Geographic Information Database (SGID) Road Identification Number: RD280324.**

**Total Road Length: 0.4 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 25 minutes 04.68 seconds North Latitude and -111 degrees 34 minutes 29.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,618,973.6 feet and Y = 10,480,213.8 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 25 minutes 20.79 seconds North Latitude and -111 degrees 34 minutes 43.18 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,617,880.0 feet and Y = 10,481,844.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 27 South Range 3 East, Section(s) 34, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

**Attachment 4**  
**Road Centerline Description Cover Page(s)**

**Popular Name: PETERSON ROAD**

**County: Wayne**

**County Road Number: 46A**

**State Geographic Information Database (SGID) Road Identification Number: RD280324.**

**Total Road Length: 0.4 miles more or less.**

**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD280324</b>	<b>001</b>	<b>BLM</b>	<b>0.37 Miles</b>	<b>A</b>
<b>RD280324</b>	<b>002</b>	<b>PVT</b>	<b>0.03 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>0.4</b>	<b>_____</b>

\* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

## **Attachment 5**

**AFFIDAVIT OF PHILIP A. TAYLOR**

**PETERSON ROAD**

**WAYNE COUNTY, UTAH**

**ROAD NUMBER 46A**

State of Utah                     )  
  : ss.  
County of Wayne                )

PHILIP A. TAYLOR, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Wayne County, Utah. I have lived in Wayne County for almost 70 years. I was employed by the Utah USDA APHIS Wildlife Services Program as a predatory animal hunter.
2. I have traveled and am familiar with a road in Wayne County known as Peterson Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1940s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Peterson Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County also identifies this road according to the road number listed above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the mid 1940s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976, and is presently used weekly.



5. Throughout the time period from the early 1960s to 2007, I have used the road myself for predatory animal control.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: recreation, farming and livestock operations.

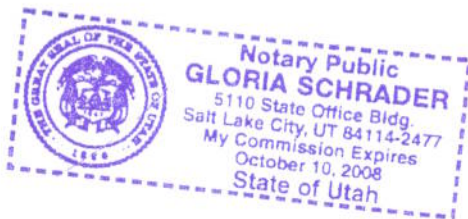
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

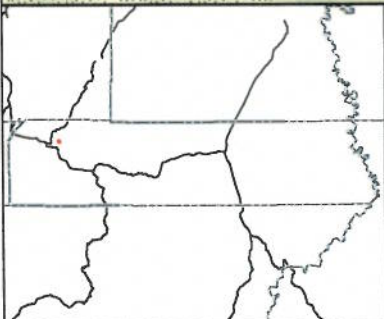
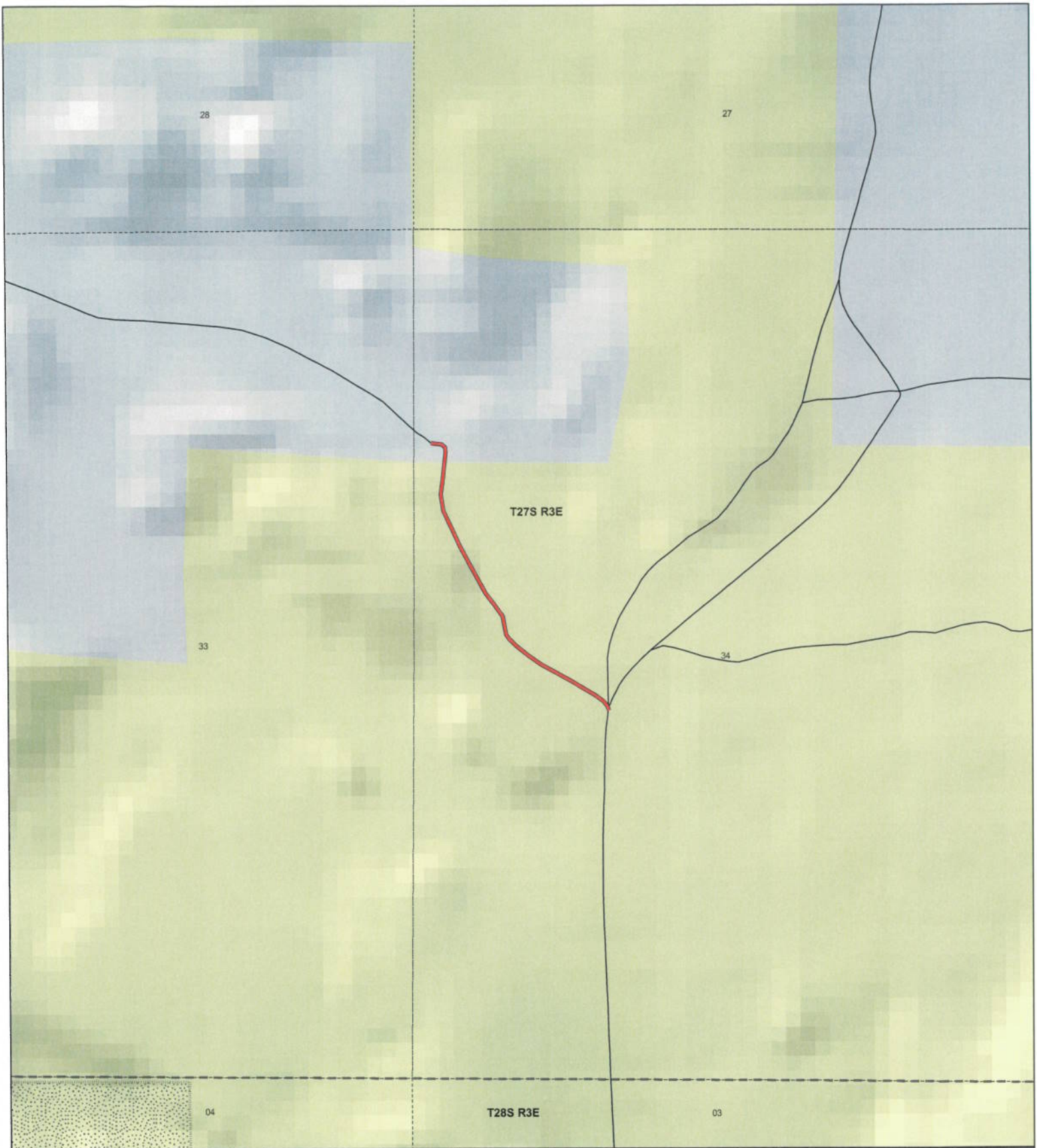
DATED this 18 day of April, 2007.

Philip A Taylor  
PHILIP A. TAYLOR

SUBSCRIBED AND SWORN to before me this 18<sup>th</sup> day of April, 2007.



Gloria Schrader  
NOTARY PUBLIC



### PETERSON ROAD County Unique - 46A

#### Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- National Park / Monument
- National Rec. Area

#### Transportation Network

- PETERSON ROAD
- State / U.S. Highway
- Local Roads

#### Misc

- City / Town
- Municipalities



1:9,506  
1 inch equals 0.2 miles



Map prepared by the State of Utah  
AGRC  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Apr 12, 2007



Ent 147068 Bk 0209 Pp 0230

**AFFIDAVIT OF DENZEL TAYLOR**

**PETERSON ROAD**

**WAYNE COUNTY, UTAH**

**ROAD NUMBER 46A**

State of Utah                     )  
  : ss.  
County of Wayne                 )

DENZEL TAYLOR, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Wayne County, Utah. I have lived in Wayne County for most of the past 87 years. I was employed by the Wayne County Road Department for approximately 20 years, from the early 1960s to the early 1980s.

2. I have traveled and am familiar with a road in Wayne County known as Peterson Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1930s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Peterson Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily, for more than ten continuous years prior to 1976, and is presently used weekly.



5. Throughout the time period from the early 1930s to 2007, I have used the road myself for the following uses: visiting friends in the area, recreation and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: farming, livestock operations, hunting and residential access.

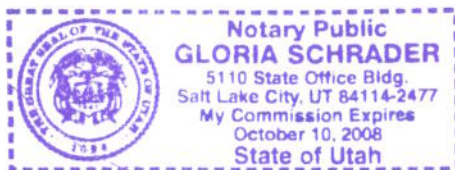
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally performed maintenance and construction activities on the road.

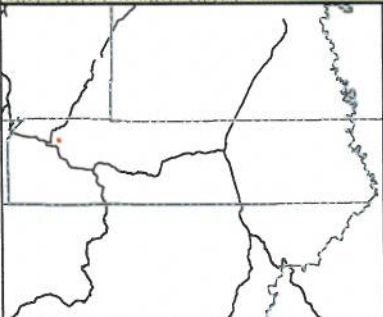
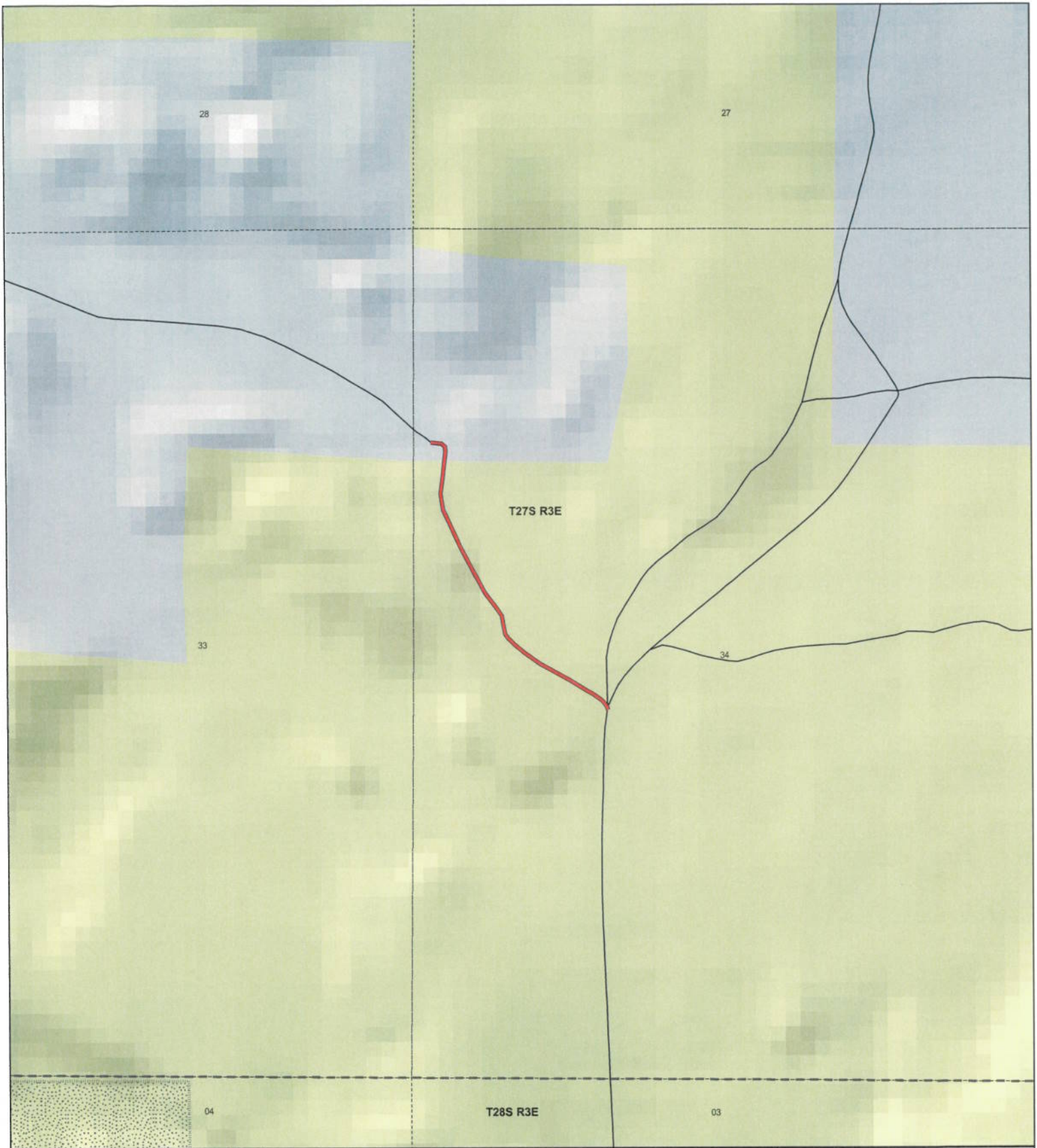
DATED this 17 day of April, 2007.

  
DENZEL TAYLOR

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of April, 2007.



  
NOTARY PUBLIC



### PETERSON ROAD County Unique - 46A

#### Land Ownership Categories

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ Wildlife Reserve
- ◆ National Park / Monument
- ◆ National Rec. Area

#### Transportation Network

- PETERSON ROAD
- State / U.S. Highway
- Local Roads

#### Misc

- City / Town
- Municipalities



1:9,506  
1 inch equals 0.2 miles



Map prepared by the State of Utah  
AGRC  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Apr 12, 2007



Ent 147058 Bk 0209 Pg 0533



## Appendix A to Attachment 4

**Popular Name: PETERSON ROAD**

**County: Wayne**

**County Road Number: 46A**

**State Geographic Information Database (SGID) Road Identification Number: RD280324.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.37 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 27 South Range 3 East, Section(s) 34, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (PETERSON ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 38 degrees 25 minutes 04.68 seconds North Latitude and -111 degrees 34 minutes 29.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,618,973.6 feet and Y = 10,480,213.8 feet; thence the following courses along the said road center line:

thence North 42 Degrees 09 Minutes 23 Seconds West 29.5 feet  
thence North 46 Degrees 26 Minutes 04 Seconds West 23.7 feet  
thence North 53 Degrees 38 Minutes 13 Seconds West 57.7 feet  
thence North 61 Degrees 15 Minutes 24 Seconds West 74.3 feet  
thence North 58 Degrees 24 Minutes 59 Seconds West 90.1 feet  
thence North 60 Degrees 27 Minutes 08 Seconds West 102.2 feet  
thence North 61 Degrees 40 Minutes 24 Seconds West 109.6 feet  
thence North 55 Degrees 11 Minutes 16 Seconds West 105.5 feet  
thence North 50 Degrees 05 Minutes 13 Seconds West 92 feet  
thence North 47 Degrees 19 Minutes 01 Seconds West 59.7 feet  
thence North 34 Degrees 09 Minutes 24 Seconds West 33.6 feet



thence North 09 Degrees 56 Minutes 33 Seconds West 54.9 feet  
thence North 11 Degrees 00 Minutes 28 Seconds West 60.1 feet  
thence North 35 Degrees 24 Minutes 06 Seconds West 78.2 feet  
thence North 37 Degrees 34 Minutes 40 Seconds West 94.9 feet  
thence North 29 Degrees 09 Minutes 38 Seconds West 106.8 feet  
thence North 28 Degrees 31 Minutes 56 Seconds West 111.7 feet  
thence North 27 Degrees 43 Minutes 45 Seconds West 118.3 feet  
thence North 25 Degrees 25 Minutes 18 Seconds West 121.4 feet  
thence North 24 Degrees 17 Minutes 23 Seconds West 120.3 feet  
thence North 09 Degrees 37 Minutes 16 Seconds West 101.4 feet  
thence North 07 Degrees 36 Minutes 03 Seconds East 97.8 feet  
thence North 05 Degrees 35 Minutes 41 Seconds East 95.7 feet  
thence North 06 Degrees 21 Minutes 58 Seconds East 11.2 feet more or less to **the ending**  
**point at:** 38 degrees 25 minutes 19.66 seconds North Latitude and -111 degrees 34 minutes 42.13 seconds  
West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet  
coordinates of X = 1,617,963.3 feet and Y = 10,481,729.9 feet.